

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Donna Sturm

Docket No. 7:16-CR-103-1BO

Petition for Action on Supervised Release

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Donna Sturm, who, upon an earlier plea of guilty to Distribution of Marijuana, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D) and Possession of a Firearm by a Prohibited Person, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable John Preston Bailey, Chief U.S. District Judge for the Northern District of West Virginia, on February 19, 2014, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Donna Sturm was released from custody on December 18, 2015, at which time the term of supervised release commenced.

On March 3, 2016, a Violation Report was submitted to the Honorable John Preston Bailey, U.S. District Judge for the Northern District of West Virginia, reporting that the defendant tested positive for oxycodone on February 11, 2016. As Ms. Sturm was participating in the Surprise Urinalysis Program, her testing level was increased. At that time the probation officer recommended, and the court agreed, that no action be taken at that time.

On August 25, 2016, a Violation Report was submitted to the Honorable John Preston Bailey, U.S. District Judge for the Northern District of West Virginia, reporting that the defendant tested positive for oxycodone on June 29, 2016. At that time, the officer recommended, and the court agreed, that no action be taken at that time.

Jurisdiction was transferred to the Eastern District of North Carolina on September 29, 2016.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 23, 2016, the defendant submitted to a urinalysis screening, which was confirmed positive for morphine by Alere Laboratories on September 2, 2016. Ms. Sturm was confronted about this test and admitted to using the substance with a friend. Ms. Sturm resides with her husband and mother-in-law in Richlands, North Carolina. She is currently unemployed and struggles with both substance abuse and mental health issues. She has applied for disability benefits due to her mental health issues; however, was initially denied and is awaiting a hearing date. After discussing this latest transgression with her, it appears that modifying the conditions of her supervision to include community service hours would be an appropriate response to this violation and would provide her with additional community ties.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 16 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

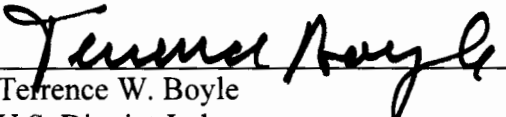
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Kristyn Super
Kristyn Super
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5104
Executed On: October 31, 2016

ORDER OF THE COURT

Considered and ordered this 1 day of November, 2016, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge